

REMARKS

The June 1, 2006 Office Action has been reviewed and, as was discussed during a telephone conference with the Examiner on June 19, 2006, the rejection of claims 37-44 and 46-50 of the present application under 35 U.S.C. § 103 in view of U.S. Patent No. 6,784,802 to Stanescu (the "Stanescu" patent) is defective. The applicant thanks the Examiner for acknowledging the defectiveness of the rejection in the phone call with applicant's attorney on April 19, 2006.

As was discussed with the Examiner, the Stanescu patent was filed on November 6, 2000 and claims priority from a provisional application filed November 4, 1999. The present application is entitled to and has claimed priority from Singapore patent application number 9901521-6 filed April 6, 1999, nearly 7 months prior to the earliest priority date claimed by the Stanescu patent. Therefore, the Stanescu patent cannot act as prior art in relation to the present application and the 103 rejection in the Office Action is therefore improper.

Additionally, it is important to note that the applicant was surprised that the Office Action did not contain any allowed claims, since applicant's attorney had spoken with the Examiner prior to the issuance of the Office Action and the Examiner had indicated that at least some of the claims, including independent claim 33, were allowable. It is our understanding that after that discussion with the applicant's attorney, an additional search was performed by the Examiner which turned up the Stanescu patent. Being that the Stanescu patent was the best result from the additional search, and it is not appropriate as prior art, the applicant respectfully maintains that the claims should now be clearly allowable. The Examiner has requested though that the applicant submit this response in the first instance and she would then re-review the claims. Although we do not believe any additional searching should be necessary from the

Examiner in light of the above history, we have agreed to submit this Response and allow the Examiner to once again review the application. The Examiner has also assured us that any action that may issue in response to this Response will not be made final.

The applicant would like to also point out that even if the Stanescu patent was prior art against the present application, the June 1, 2006 Office Action would be improper for at least the reason that the "rejection" does not address the claims as they are currently pending, but rather the claims as they existed prior to the amendments made by the applicant on March 17, 2006. The rejection would therefore be misplaced even if the Stanescu patent was prior art to the present application. However, being that the present application has priority prior to the Stanescu patent, those arguments are unnecessary.

Conclusion

Applicant believes that the Claims in the present invention are in condition for allowance and Applicant respectfully requests a Notice of Allowance in view of the foregoing remarks and the history of the present application. If that is not the case, the Examiner is requested to call the applicant's attorney at the below-listed number.

Although no fees are believed due in connection with this Response, any additional fees or charges necessary in connection with the present application are hereby authorized to be charged to Deposit Account No. 19-4709.

Respectfully submitted,

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